

# DECLARATION AND POWER OF ATTORNEY

Atty. Dkt. No.: 3197-000058

## DECLARATION

I hereby declare that:

Each inventor's residence, mailing address and citizenship are as stated below next to their name,

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### RF METROLOGY CHARACTERIZATION FOR FIELD INSTALLATION AND SERVICEABILITY FOR THE PLASMA PROCESSING INDUSTRY

the specification of which (check one)

- ☐ is attached hereto.  
or  
☒ was filed on December 2, 2003 as United States Application Number or PCT International Application No. 10/727,081 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)				
APPN. SERIAL NO.	COUNTRY	DATE FILED (MM/DD/YYYY)	PRIORITY CLAIM	
			Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

## **DECLARATION AND POWER OF ATTORNEY**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### **POWER OF ATTORNEY**

I hereby appoint each practitioner at Customer No. 27572 of Harness, Dickey & Pierce, P.L.C., my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

### **CORRESPONDENCE ADDRESS**

I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Customer No. 27572, Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

## DECLARATION AND POWER OF ATTORNEY

**Full name of first inventor:** David J. Coumou

Inventor's signature: David J. Coumou

Date: April 5, 2004

Residence: 1031 Wickerton Lane, Webster, NY 14581

Citizenship: United States

Mailing Address: 1031 Wickerton Lane, Webster, NY 14581

**Full name of second joint inventor:** Clifford C. Weatherell

Inventor's signature: Clifford C. Weatherell

Date: April 2 2004

Residence: 139 Westchester Avenue, Rochester, NY 14609

Citizenship: United States

Mailing Address: 139 Westchester Avenue, Rochester, NY 14609

**Full name of third joint inventor:** Michael L. Kirk

Inventor's signature: Michael L. Kirk

Date: 4/2/2004

Residence: 7474 Baptist Hill Road, Bloomfield, NY 14469

Citizenship: United States

Mailing Address: 7474 Baptist Hill Road, Bloomfield, NY 14469

**Full name of fourth joint inventor:** Kevin Nasman

Inventor's signature: Kevin P. Nasman

Date: 2004 04 02

Residence: 3865 Union Street, North Chili, NY 14514

Citizenship: United States

Mailing Address: 3865 Union Street, North Chili, NY 14514

# ASSIGNMENT

Atty. Docket No. 3197-000058

The undersigned, hereinafter referred to collectively as Assignor, has an interest in the invention entitled:

## **RF METROLOGY CHARACTERIZATION FOR FIELD INSTALLATION AND SERVICEABILITY FOR THE PLASMA PROCESSING INDUSTRY**

which is the subject of a United States or International application for patent

- (a) ☐ executed on even date preparatory to filing (each inventor should sign this Assignment on the same day as he/she signs the Declaration and Power of Attorney);
- (b) ☐ executed on \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_;
- (c) ☒ filed on December 2, 2003, and assigned Serial No. 10/727,081 or PCT International Application No. \_\_\_\_\_;
- (d) ☐ U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_, and  
☐ presently assigned as evidenced at Reel \_\_\_\_\_, Frame \_\_\_\_\_; or
- (e) ☐ entitled above and naming the undersigned inventors in this provisional patent application; and

MKS Instruments, Inc., a corporation of the State of Massachusetts, 6 Shattuck Road, Andover, MA 01810, hereinafter referred to as Assignee, is desirous of acquiring Assignor's interest therein:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy whereof is hereby acknowledged, Assignor by these presents does sell, assign and transfer unto Assignee and its successors in interest, the full and exclusive right, title and interest in the United States of America and all foreign countries, including the right to claim priority under the laws of the United States, the Paris Convention, and any foreign countries, to the said invention as described in the aforesaid application, said application for patent and all Letters Patent therefor to be held and enjoyed by Assignee to the full end of the term for which said Letters Patent are granted and any extensions thereof as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made, and the right to recover for past infringements of, or liabilities for, any of the rights relating to any of said applications or patents resulting therefrom;

Assignor hereby covenants and agrees to execute all instruments or documents required or requested for the making and prosecution of any applications of any type for patent in the United States and in all foreign countries including, but not limited to, any provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to letters patent any reissue, re-examination, or extension thereof, and for litigation regarding, or for the purpose of protecting title and to the said invention, the United States application for patent, or Letters Patent therefor, and to testify in support thereof, for the benefit of Assignee without further or other compensation than that above set forth;

Assignor hereby covenants that no assignment, sale or agreement or encumbrance has been or will be entered into which would conflict with this Assignment; and

Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States of America to Assignee, and requests that any official of any country or countries foreign to the United States, whose duty it is to issue or grant patents and applications as aforesaid, to issue said Letters Patent, Utility Model Registration or Inventor's Certificate to Assignee.

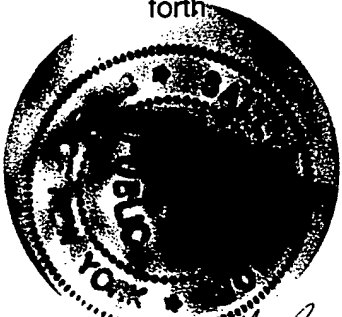
Assignor hereby authorizes an attorney authorized to prosecute this patent application to insert here in parentheses (Application No. \_\_\_\_\_, filed \_\_\_\_\_) the filing date and application number of said application when known.

# ASSIGNMENT

David J. Coumou  
David J. Coumou

State of NEW YORK )  
County of MONROE ) ss.

On this 5 day of APRIL, 2004, before me personally appeared the foregoing individuals, who executed the foregoing instrument and who acknowledged to me that they executed the same of their own free will for the purpose therein set forth.



Sally Traynor (Hornath)  
Notary Public,

\_\_\_\_\_ County, State of \_\_\_\_\_

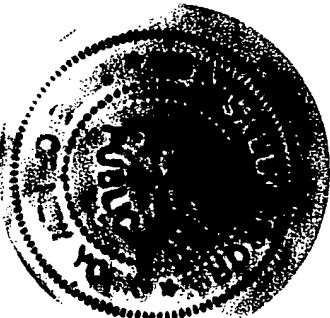
My Commission Expires: \_\_\_\_\_

Clifford C. Weatherell  
Clifford C. Weatherell

SALLY TRAYNOR  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01TR6076700  
QUALIFIED IN MONROE COUNTY  
MY COMMISSION EXPIRES JULY 1, 2006

State of NEW YORK )  
County of MONROE ) ss.

On this 2 day of APRIL, 2004, before me personally appeared the foregoing individual, who executed the foregoing instrument and who acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.



Sally Traynor (Hornath)  
Notary Public,

\_\_\_\_\_ County, State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

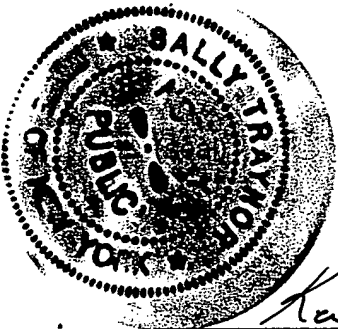
SALLY TRAYNOR  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01TR6076700  
QUALIFIED IN MONROE COUNTY  
MY COMMISSION EXPIRES JULY 1, 2006

ASSIGNMENT

Michael L. Kirk  
Michael L. Kirk

State of NEW YORK )  
County of MONROE ) ss.

On this 2 day of APRIL, 2004, before me personally appeared the foregoing individual, who executed the foregoing instrument and who acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.



Kevin Nasman

Sally Traynor (Notary)  
Notary Public,

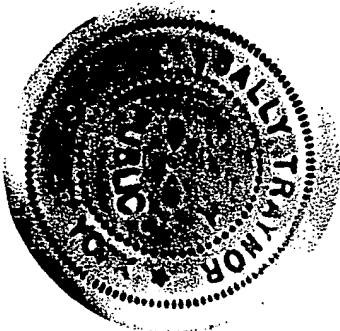
County, State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

SALLY TRAYNOR  
NOTARY PUBLIC, STATE OF NEW YORK  
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QUALIFIED IN MONROE COUNTY  
COMMISSION EXPIRES JULY 1, 2006